

REMARKS

By the present amendment, new claims 12-16 have been added. Support for the new claims is found in the original application, in particular on page 16, lines 12-19 and the Examples.

Claims 1-16 are pending in the present application. Claim 1 is the only independent claim.

In the Office Action, claims 1-9 and 11 are rejected under 35 U.S.C. 103(a) as obvious over US 2002/0034596 to Yano et al. ("Yano A") in view of US 2002/0145804 to Yano et al. ("Yano B"), and further in view of US 6,771,327 to Sekiguchi ("Sekiguchi"), and claim 10 is rejected under 35 U.S.C. 103(a) as obvious over Yano A, in view of Yano B and Sekiguchi, and further in view of JP 2001-042127 by Yoshimi et al. ("Yoshimi").

The rejections are respectfully traversed. It is submitted that a person of ordinary skill in the art would not have combined Yano A and Yano B even in view of Sekiguchi.

Specifically, Yano A discloses an "optical sheet" which is the combination of a retardation film and a "transparent layer," the transparent layer being in fact a compensation layer (Yano A at para. 0014). Further, Yano suggests using the transparent/compensation layer as protective film for a polarizing film (see Yano A at para. 0020).

In contrast, Yano B discloses an "optical film" which is a laminate of three birefringent films (see Yano B at para. 0017). Yano B discloses generally that each birefringent film may be

made from “a film composed of an isotropic base material coated with an inorganic or liquid-crystal material” (Yano B at para. 0021).

Still further, the passage of Sekiguchi referred to in the Office Action discusses the advantage of using isotropic material for the upper and lower substrates of a touch panel (see Sekiguchi at col. 28, lines 17-22).

In summary, Yano B discloses isotropic material only in conjunction with its birefringent film, whereas Yano A discloses a compensation layer in conjunction with its birefringent film, while Sekiguchi does not provide any teaching regarding compensation films since it relates to touch panels.

In view of the above, a person of ordinary skill in the art would not have found any motivation to combine Yano A and Yano B in these references themselves, and would not find any motivation in Sekiguchi since Sekiguchi relates to substrates of a touch panel.

Further, even if, *arguendo*, a person of ordinary skill in the art had attempted to combine Yano A and Yano B, this would not have resulted in the construction of the present invention because any combination of Yano A and B would (i) keep the birefringent film but (ii) exclude either the compensation layer or the isotropic material. In particular, there would have been no motivation to add an additional isotropic layer in Yano A, or to add a compensation layer to an isotropic layer in Yano B.

In contrast, the present inventors have determined that using a base material that has low anisotropy in combination with a compensation layer as recited in present claim 1, can provide

significant improvement in optical properties such as contrast, as illustrated by the experimental results in the present specification. This construction and its advantages are not taught or suggested in any of the cited references. Therefore, the present claims are not obvious over the cited references taken alone or in any combination.

In addition, with respect to claims 9 and 10, Yano A and Yano B use a conventional protective film such as a TAC film for their polarizer, as in the Comparative Examples of the present specification, and Sekiguchi does not discuss a polarizing plate.

In contrast, an advantage of the optical film of the present invention is that at least one layer of other optical element can be further laminated onto the optical film, for example, a polarizer laminated on a base material film side, as recited in present claims 9 and 10, respectively. The cited references are completely silent as to these respective features. Therefore, for these respective reasons alone, present claims 9 and 10 are not obvious over the cited references taken alone or in any combination.

In particular, with respect to claim 10, Yoshimi, discloses a retardation layer 1 applied to the protective film 21 of a polarizer 32 (see Yoshimi at Fig. 1). However, since Yano A discloses the polarizing film 2 laminated on the side opposite the transparent (compensation) layer 12, i.e., on the side of the retardation layer 11 (see Yano A at para. 0024), and Yano B is silent as to how to arrange an isotropic base material layer, even if, arguendo, a person of ordinary skill in the art had been motivated to attempt to combine the cited references, any combination of Yano A, Yano B, and Yoshimi would have resulted in the polarizer being on the

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retardation layer side as taught in Yano A. Therefore, for this reason alone, present claim 10 is not obvious over the cited references taken alone or in any combination.

With respect to the other dependent claims, the cited references are also completely silent as to the combinations of features recited in these respective claims. Therefore, these respective claims are not obvious over the cited references taken alone or in any combination.

In view of the above, it is submitted that the rejections should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.


In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

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In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel
Attorney for Applicants
Reg. No. 44,373

Atty. Docket No. 042043
Customer No.: 38834
1250 Connecticut Avenue NW Suite 700
Washington, D.C. 20036
Tel: (202) 822-1100
Fax: (202) 822-1111
NES:rep